

2001 DRAFTING REQUEST

Bill

Received: **11/13/2000**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**

By/Representing: **Tom Hanson**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Operation and costs of municipal cable television systems

Instructions:

Prepare bill identical to 1999 ASA 1 to 1999 AB 670 (99s0471/1)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd 11/15/2000	gilfokm 11/22/2000		_____			Local
/1			pgreensl 11/27/2000	_____	lrb_docadmin 11/27/2000	lrb_docadmin 11/29/2000	

FE Sent For:

<END>

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/?	kunkemd	1-11/22 ^{kmg}	11/27 pg	11/27 pg 1, RS			

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<END>

O-NOTE

Kmg

-0987/1

I'M NOT
PUN

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 670**

March 23, 2000 - Offered by Representatives MEYERHOFER and HOVEN.

INSERT ANALYSIS

gen Cat

AN ACT ~~to create~~ 66.082 (3m) of the statutes relating to: operation and costs
of municipal cable television systems.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

66.0419

66.0419

SECTION 1. ~~66.082~~ (3m) of the statutes is created to read:

~~66.082~~ (3m) MUNICIPAL CABLE TELEVISION SYSTEM. (a) A municipality that owns
and operates a cable television system shall prepare and maintain records that
include all of the following:

1. The cost of franchise fees, pole rentals, and all other expenses that the
municipality would incur ^{if it} were ^{television} a nonmunicipal cable operator that had been
granted a franchise by the municipality.

2. The amount, source, and cost of working capital used for the municipal cable
television system.

(b) Except as provided in par. (c), a municipality that owns and operates a cable television system may not pass on the cost of the cable television system to nonsubscribers.

(c) A municipality may pass on the cost of all of the following to nonsubscribers:

1. Public, educational and governmental access channels.
2. Debt service on bonds issued under s. ~~66.059~~ ^{66.0619} to finance the construction, renovation or expansion of a municipal cable television system.

SECTION 2. Initial applicability.

(1) This act first applies to municipalities that begin operation of a municipal cable television system on the effective date of this subsection.

SECTION 3. Effective date.

(1) This act takes effect on the first day of the 3rd month beginning after publication.

(END)

INSERT 2-7 ✓

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0987/lins
MDK:.....

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ANALYSIS INSERT:

Analysis by the L... R... B... .

This bill prohibits, with certain exceptions, a municipality that owns and operates a cable television system from passing on the cost of the system to nonsubscribers. There are ^{two} exceptions to this prohibition. First, the prohibition does not apply to a municipality that began operating a cable television system before the effective date of the bill. Second, a municipality that began operating a cable television system on or after the effective date of the bill may pass on the following costs to nonsubscribers: 1) the cost of public, educational, and governmental access channels; and 2) the cost of debt service on public improvement bonds for the construction, renovation, or expansion of the municipality's cable television system.

The bill also requires a municipality that owns and operates a cable television system to prepare and maintain records that include the following: 1) the cost of franchise fees, pole rentals, and all other expenses that the municipality would incur if it were a nonmunicipal cable television operator that had been granted a franchise by the municipality; and 2) the amount, source, and cost of working capital used for the municipality's cable television system. This requirement does not apply to a municipality that began operating a cable television system before the effective date of the bill.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

2

INSERT 2-7: ✓

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✓
(d) This subsection does not apply to a municipality that began operating a

4

municipal cable television system before the effective date of this paragraph

5

[revisor inserts date].

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0987/1dn

MDK: *img*

Senator Moen:

Please review this bill, which was requested on your behalf by Tom Hanson, very carefully to make sure that it achieves your intent. The bill is identical to Assembly Substitute Amendment 1 to 1999 Assembly Bill 670, except that the grandfather provision has been moved from an initial applicability provision to proposed s. 66.0419 (3m) (d).

If you have any questions or additional redraft instructions, please contact me.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0987/1dn
MDK:kmg:pg

November 27, 2000

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STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 27, 2000

MEMORANDUM

To: Senator Moen

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-0987 Operation and costs of municipal cable television systems

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

___ JACKET FOR ASSEMBLY ☒ JACKET FOR SENATE

R. C. Moen

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.